

## SENTENCING MINUTES

DATE: 10/11/11

CASE NUMBER: 3:11CR21

JUDGE: Gibney

CT REPORTER: G. Halasz, OCR

INTERPRETER: \_\_\_\_\_

UNITED STATES OF AMERICA

Michael A. Jagels, AUSA

v.

## COUNSEL

Barry W. Woodbury

Matthew T. Paulk, ESQ.

**SENTENCING ON COUNT(S):** \_\_\_\_\_ () Indictment () Superseding Ind.

( ) Criminal Information

( Indictment ( Superseding Ind.

## **PRELIMINARY MATTERS:**

**OBJECTIONS TO PSR:** none; adopted as tendered

STATEMENTS MADE BY: GOV'T ( ) DEFENSE COUNSEL (✓) DEFT ( )

ON MOTION OF GOV'T, ( ) INDICTMENT ( ) REMAINING CTS. DISMISSED.

**DEFENDANT TO VOLUNTARILY REPORT TO DESIGNATED INSTITUTION**

ON: \_\_\_\_\_ BY: \_\_\_\_\_  
( ) IF NO DESIGNATION MADE, REPORT TO U.S. MARSHAL IN RICHMOND

DEFT ADVISED OF RIGHT OF APPEAL within 14 days of today (✓)

DEFT REMANDED TO CUSTODY (✓)

## CASE SET.

BEGAN.

ENDED:

#### TIME IN COURT:

9:00am

9:07 am

9:37 am

30 mins.

PAGE TWO (2)

SENTENCE TEXTCOUNT 1 IMPRISONMENT 70 MOS. CONCURRENT(  ) CONSECUTIVE(  )CREDIT FOR TIME SERVED ON THIS CHARGE (  )SUPERVISED RELEASE 3 YEARS

PROBATION \_\_\_\_\_ YEARS

FINE \$ \_\_\_\_\_ (  ) Fine not imposedSPECIAL ASSESSMENT \$ 100 due immediatelyCOUNT \_\_\_\_\_ IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT(  ) CONSECUTIVE(  )SUPERVISED RELEASE \_\_\_\_\_ YEARS CONCURRENT(  )PROBATION \_\_\_\_\_ YEARS CONCURRENT(  )FINE \$ \_\_\_\_\_ (  ) Fine not imposed

SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

COUNT \_\_\_\_\_ IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT(  ) CONSECUTIVE(  )SUPERVISED RELEASE \_\_\_\_\_ YEARS CONCURRENT(  )PROBATION \_\_\_\_\_ YEARS CONCURRENT(  )FINE \$ \_\_\_\_\_ (  ) Fine not imposed

SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

CONSENT ORDER OF FORFEITURE MADE A PART OF JUDGMENT IN CASE (  )

RESTITUTION ORDERED: \_\_\_\_\_

## RECOMMENDATION(S) TO BOP:

- (  ) Designate dft. to a facility near family (  ) Designate dft. to Petersburg FCI or other nearby facility  
 (  ) SHOCK Incarceration Program (  ) BRAVE Program  
 (  ) Educational / Vocational training (  ) BOP 500-hr intensive drug treatment program, if qualifies  
 (  ) UNICOR program (  ) with \_\_\_\_\_ portion of earnings directed to child support volunteers  
 (  ) OTHER: \_\_\_\_\_

## PAGE THREE (3)

SPECIAL CONDITIONS of Probation / Supervised Release:

- (1) Incur no new credit without approval of probation officer
- (2) Provide probation officer with access to financial information
- (3) Perform community service \_\_\_\_\_ HOURS during period of supervision
- (4) Participate in drug/alcohol treatment;  Pay cost of treatment (+ must include drug testing)
- (5) Participate in mental health treatment;  Pay cost of treatment
- \_\_\_\_\_ Participate in anger management
- (6) Participate in home confinement program for \_\_\_\_\_ with monitoring  
 Permitted to work, attend church, or other approved activities  
 Maintain telephone without special features; no cordless phone  
 Pay costs of electronic monitoring
- (7) Placement in a Community Confinement Center for \_\_\_\_\_ (term)
- (8) Defendant to be surrendered to BICE for deportation proceedings  
 If deported, defendant to remain outside the United States
- (10) Mandatory drug testing waived  
 Probation officer may still administer drug test if deemed appropriate
- (11) Pay child support in amount ordered by social services or Court
- (13) Serve intermittent confinement on weekends for a period of \_\_\_\_\_ DAYS
- (14) No possession of pager, cellular telephone, or other handheld communication device
- (15) Defendant shall pay any balance owed on the S/A imposed by the Court  
  Pay in installments of not less than \$25 per month,  
 to begin 30 60 days after start of supervision until paid in full
- (16) Waive all rights of confidentiality regarding mental health treatment  
 (or other treatment) to allow release of information to Probation, etc.
- (17) Commencing \_\_\_\_\_, and continuing for \_\_\_\_\_, defendant may  
 operate a motor vehicle only for purposes of work and court, including travel to  
 the Probation Office and alcohol treatment program
- (18) Defendant to apply monies received from tax refunds, lottery winnings, and any  
 anticipated or unexpected financial gains to the Court-ordered financial obligation

(---) Other special conditions:

- the defendant shall not consume any alcohol
- continue to work on obtaining GED & must make satisfactory progress as determined by the probation officer
- the defendant shall attend 90 meetings in 90 days at AA, NA or secular equivalent that is approved by the Court
- the defendant must obtain a sponsor that will notify the probation office that he is the sponsor